

REMARKS

Reconsideration of the previous objection of claim 14 because of a missing comma is deemed moot in view of the foregoing Amendment.

Applicant thanks the Examiner for noting a misnumbering of the claims and misnumbered claims previously submitted as 30-34 are now referred to as claims 29-33.

Claims 1-5, 7-8, 10-16 and 20-33 remain pending in the application.

Reconsideration of the previous rejection of claims 1, 5, 7, 10, 11, 25 and 31 under 35 U.S.C 102(e) as being anticipated by Pamplin (US. Publication 2004/0060251) is respectfully requested in view of the following comments.

As the Examiner is well aware the MPEP §2131 set forth the standards for anticipation under 35 U.S.C. 102(e) and states that:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference... (citations omitted)”

Applicant's invention as claimed in the embodiment of the rejected claims include a plurality of decorative faces, wherein the faces, in the embodiment of claim 1, have the same shape and in the embodiment of claim 14, differ in shape, and each of the decorative faces is independently selected from a group consisting of “foil, laminate, veneer, paint, stain, and clear protective material”. Such is not found in the Pamplin disclosure. All Pamplin does is disclose elongated “mounting strips 26”. Such mounting strips 26 are not a molding and the only discussion “of molding” is referred to by Pamplin as “molding strip 12”. *See* for example, paragraph [0027] and the last sentence in [0031]. All that Pamplin provides by way of his “mounting strip 26” which may be made for instance of plastic, is a reversible decoration. However, on such mounting strip 26, Pamplin does not include a foil, laminate, veneer, paint, stain, or clear protective material as claimed in previous claims 1 or 14.

Applicant is aware of the Examiner's statement in the preceding Office Action at paragraph 5(a) which states that “each of the faces can be covered with a laminate of wallpaper citing Figure 3; page 2, paragraph 32”. However, “wallpaper” is not a laminate. A laminate by definition is made by “uniting several layers” each of such layers being known as a lamina or

laminae. *See* the accompanying page 734 of the American Heritage Dictionary of the English Language, Houghton Mifflin Company, Boston, 1979. Thus, Pamplin does not inherently or expressly disclose any of the decorative faces recited in Applicant's independent claims 1 or 14 (and by implication all claims dependent thereon, 35 U.S.C. 112, fourth paragraph) and thus could not be anticipatory of the previous claims.

However, Applicant has now further amended independent claims 1 and 14 to make it clear that it is the reversible molding which comprises a core, the core having a plurality of decorative surfaces affixed to said core, which is nowhere shown in the Pamplin teachings. Pamplin's molding strip 12 is not reversible and to change the look of Pamplin's molding would require replacement of molding strip 12.

Applicant has provided a molding which itself is reversible because each of the decorative surfaces is attached directly to the core and it is the orientation of the core which presents a different decorative look to the consumer. Such is not achieved at all by Pamplin which must rely on mounting strips 26 to provide any difference in the decorative effect of the mounting strip, but the molding 12 will remain the same even when the mounting strip 26 is removed from the molding or provided with fabric as opposed to wallpaper, etc. Accordingly, Pamplin cannot possibly anticipate the claimed invention and withdrawal of the rejection is therefore respectfully requested.

Reconsideration and withdrawal of the previous rejection of claims 2, 12, 13, 20, 27 and 33 under 35 U.S.C. 103(a) as being unpatentable of Pamplin (U.S. Publication 2004/0060251) is respectfully requested.

The Examiner dismisses the patentability of claim 2 by arguing that it would have been a matter of obvious design choice to form the molding out of a wood product such as particle board, MDF, HDF or veneered lumber. The Examiner has cited no evidence that one reviewing Pamplin would have been motivated to do so. In Pamplin the only reversible object is mounting strip 26 which is said to be made of plastic and material quite unlike the wood product defined in claim 2. Moreover, if the Examiner meant that molding strip 12 could have been selected from particle board, MDF, HDF or veneered lumber by one skilled in the art where is the motivation to

provide such decorative faces on such wood product selected from the group of foil, laminate, veneer, paint, stain, and clear protective material where at least two faces differ in at least one property as instantly recited. Rather, it appears that the Examiner is only piece-mealing Applicant's claimed invention to pick and choose only isolated items from the prior art without reviewing the claimed invention as a combination of various materials and their structural interrelationship. As noted above, it is not known whether the Examiner is suggesting that the plastic of mounting strip 26 be substituted with a wood product as claimed or whether it is the elongated molding strip 12 of Pamplin be substituted by a wood product as claimed. Since it is not even clear to the undersigned what the Examiner means, Applicant respectfully submits that it is not within the general skill of a worker skilled in the art to make the proposed modification of Pamplin since it is not even clear that the Examiner understands what part of Pamplin is intended to be modified. With regard to independent claim 20, Applicant points out that Pamplin does not in anyway reduce molding inventories, since the molding strips 12 will come in a different assortment as described in paragraph [0028] of Pamplin *i.e.*, crown molding, channel crown molding, etc. Thus, Pamplin does not reduce the number of molding inventories that must be carried by a prospective purchaser whereas, in the claimed invention molding inventories can be reduced because the molding itself comprises a core having affixed thereto a plurality of decorative faces such that rotation of the core will expose at least one of the decorative faces and the decorative faces independently comprise at least one selected from the group consisting of foil, laminate, veneer and clear protective material. As such is not taught nor suggested by Pamplin, and the Examiner further concedes that Pamplin does not disclose that the molding is offered to a purchaser (for the purpose of reducing molding inventories) there is nothing in the rejection that would have modified Pamplin to teach or suggest the claimed invention. Accordingly, withdrawal of the rejection is therefore respectfully requested.

Reconsideration and withdrawal of the rejection of claim 1 and 3 under 35 U.S.C. 103(a) as being unpatentable over Lamont et al. (U.S. Patent 5,711, 123) in view of Pamplin (U.S. Publication 2004/0060251) is respectfully requested. Lamont, like Pamplin, is directed to a molding having a channel to retain a strip-like panel in either a concavely-flexed position or flat

or convex position; *See Abstract*. However, Applicant's invention is not the provision of channel retainers such as "channel rails 22" of Pamplin (Figs. 2-2A) or the lips 20 of Lamont to retain a removable decorative panel 4. Rather, Applicant's claims require that the molding comprise a core to which is affixed a plurality of decorative faces of certain materials which is neither found in Lamont et al. nor Pamplin. In effect all that Pamplin and/or Lamont et al. provide is a reversible face on a molding but neither Lamont et al. nor Pamplin provide a molding which is itself, reversible. Such claimed elements are clearly structurally defined in Applicant's claims so as to patentably distinguish over the teachings of these prior art references. Applicant therefore respectfully requests withdrawal of the rejection as failing to establish a *prima facie* case of obviousness for the claimed invention.

Reconsideration and withdrawal of the rejection of claim 4 under 35 U.S.C. 103(a) as being unpatentable over Pamplin (US. Publication 2004/0060251) in view of Kornfalt et al. (U.S. Patent No. 6,517,935) is respectfully requested.

While Kornfalt et al. does indeed teach that a molding can be provided with a laminate *i.e.*, two laminae, one being a décor paper and the second being a overlay of  $\alpha$ -cellulose, Kornfalt et al. still does not teach that a second (or plurality) of faces of the molding can be provided with differing decorative faces. Thus, even if it was obvious to provide a core of a molding with a laminate (as in Kornfalt et al.) where still is the suggestion to provide a molding having a plurality of differing decorative faces affixed to a core and even if such differing decorative faces were laminates of different décors *e.g.*, different décor papers, where is that suggestion found in the combination of Pamplin and Kornfalt et al.? The foregoing reasons, Applicant requests withdrawal of the rejection of claim 4 under 35 U.S.C. 103(a) as failing to establish a *prima facie* case of obviousness for the claimed invention.

Reconsideration and withdrawal of the rejection of claims 1,8 and 30 under 35 U.S.C. 103(a) as being unpatentable over Sumner (GB 2,141,457 A) in view of Pamplin (U.S. Publication 2004/0060351) is respectfully requested.

Sumner is so far removed from the claimed invention that it is not even clear why it has been cited. Sumner does not teach any molding which is reversible and clearly not a “reversible molding (12)” as alleged in the Office Action.

Rather, the Examiner’s citation of Fig. 1 which shows element 12 to be a rectangular shape teaches nothing of the claimed invention. The Examiner specifically acknowledges that “Sumner does not specifically disclose that faces differ by texture, design, pattern or color, and independently comprise foil, laminate, veneer, paint, stain or clear protective material”. While the Examiner alleges that it is notoriously well known in the art that a molding with multiple faces can have faces differ by texture, design, pattern, or color and independently comprise foil, laminate, veneer, paint, stain or clear protective material, that is the essence of Applicant’s invention. The Examiner has not even attempted to cite one reference to teach the claimed invention but merely alleges the invention as “notoriously well known in the art” that a molding with multiple faces can have faces different by texture, design, pattern, or color and independently comprise foil, laminate, veneer, paint, stain or clear protective material.

All that Sumner provides is a removable (not reversible) molding 12 in different forms e.g., compare Figs. 1, 2, 3, 4 and 7 which molding can be removed when base molding 11 needs to be painted. Thus, all that strip 12 of Sumner does is hide the lower portion of base molding 11, so that the painting need not come down to the level of any underlying carpet, floor or other floor covering material. Thus, as Applicant stated in the opening paragraph of this section, it is not even clear why Sumner has been cited and as noted above, Pamplin does not provide any teaching of the claimed invention. For the foregoing reasons, withdrawal of the rejection is respectfully requested.

Reconsideration and withdrawal of the rejection of claims 14-16, 20-24, 26, 28 and 32 under 35 U.S.C. 103(a) as being unpatentable over Ford (GB 2,096,665 A) in view of Pamplin (U.S. Publication 2004/0060251) is respectfully requested.

Although the Examiner again argues that Ford discloses a reversible molding (5) having a plurality of faces (citing the Abstract) wherein at least two of said faces different in shape (citing the Abstract; Figs. 2, 4), Ford does not disclose a plurality of faces that differ in shape. Rather, if

one appreciates what Ford is teaching, the embodiment of Figure 4 is merely an inversion of the tile orientation from Figure 2 and not the provision of a plurality of reversible faces as suggested by the Examiner. This is clearly described by the author in the Specification at page 2, lines 64-70 as a simple “inversion” of the tile, not reversal of the tile nor providing a plurality of molding faces. That is why the Examiner cannot find where Ford discloses that the supposed plurality of faces also differ in at least one additional property as recited. The deficiencies of Pamplin have been noted above and thus the proposed combination of Ford and Pamplin still does not establish a *prima facie* case of obviousness for the claimed invention.

Having fully responded to the preceding Office Action favorable reconsideration and withdrawal of the rejection is respectfully requested and passage of the application to issue. If any fee is necessary to make this paper timely and/or complete, such fee may be deducted from Deposit Account No. 19-4375.

Respectfully submitted,



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